



1623
S. Maier

PATENT
Attorney Docket 040750-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **H-J. Su Huang et al.**)
Application No. **09/071,541**) Group Art Unit: **1623**
Filed: **May 4, 1998**) Examiner: **Leigh C. Maier**
For: **Methods to Modulate the Resistance of Cells to**)
Apoptosis Mediated by Mutant Epidermal)
Growth Factor Receptors)

Mail Stop Amendment

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Arlington, VA 22202

RESPONSE TRANSMITTAL FORM

- Transmitted herewith is a Response Under 37 C.F.R. 1.111 in response to the non-final Office Action dated March 11, 2004.
- Extension of Time:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a three-month extension of time from June 11, 2004 to September 11, 2004, the fee for which is **\$475.00** as set out in 37 C.F.R. 1.17(a). If Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a Petition therefor. This request is being filed under the next business day rule on Monday, September 13, 2004 as the due date for responding fell on a Saturday (September 11, 2004).
- Fee Calculation** (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	16	minus	20	0	at \$18 each =	0.00
Independent Claims	3	minus	3	0	at \$86 each =	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
SUB-TOTAL =						0.00
Reduction by 1/2 for filing by a small entity						0.00
TOTAL FEE =						\$0.00

- Fee Payment:** The Commissioner is hereby authorized to charge **\$475.00** to Deposit Account No. 50-0310 for payment of the three-month extension of time fee at the small entity rate.
- Constructive Petition:** **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this

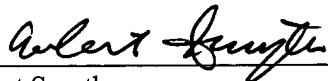
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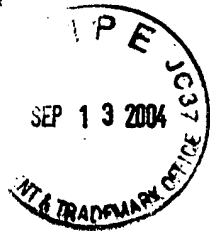
application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **September 13, 2004**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
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Group Art Unit: **1623**

Examiner: **Leigh C. Maier**

RESPONSE UNDER 37 C.F.R. 1.111

In response to the Office Action dated March 11, 2004, the time for response to which has been extended by three months by the accompanying petition and fee payment, please consider the following remarks in the above-referenced application.

Amendments to the Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.